

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL GRANT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05CV201 CDP
)	
COIN ACCEPTORS, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

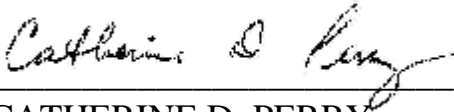
Plaintiff's counsel, Andre E. Townsel, has filed a motion to withdraw as counsel and to stay this matter for sixty days so that plaintiff may obtain new counsel. Mr. Townsel seeks to withdraw because he is moving out of state and closing his practice. Defendant opposes the motion because it wants plaintiff's deposition, which is scheduled for December 15, 2005, to go forward. Defendant also opposes delaying the case for sixty days unless plaintiff agrees that his claims for back pay would be tolled during that time.

I agree that the scheduled deposition of plaintiff should go forward, and that Mr. Townsel will not be allowed to withdraw until after that date. I am also concerned about allowing counsel to withdraw and staying this case when plaintiff has not yet found a new attorney. Allowing withdrawal at this time would mean that plaintiff would be representing himself, and I have no assurance that he understands

what may be involved in that. I will therefore hold a hearing with both counsel and with plaintiff himself on **December 16, 2005 at 10:00 a.m.** Plaintiff's deposition shall go forward as scheduled, and plaintiff is required to attend the hearing in person. If it would be more convenient for the parties to schedule the hearing on December 15, either just before or just after the deposition, I will be glad to do so upon receipt of a motion to that effect and telling me the appropriate time. It is, of course, Mr. Townsel's responsibility to make all reasonable efforts to assure that his client is aware of the requirement that he attend the hearing.

Accordingly,

IT IS HEREBY ORDERED that a hearing on counsel's motion to withdraw will be held in Courtroom 14 South on **Friday, December 16, 2005 at 10:00 a.m.** Plaintiff must personally attend the hearing, along with both counsel.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 7th day of December, 2005.